

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: ALFUZOSIN HYDROCHLORIDE
PATENT LITIGATION

MDL No. 08-md-1941 (GMS)

JUDGMENT WITH RESPECT TO TEVA PHARMACEUTICALS USA, INC.

IT IS HEREBY ORDERED AND ADJUDGED:

1. that sanofi-aventis and sanofi-aventis U.S. LLC (collectively, “sanofi-aventis”) asserted claims 1-5 (the “asserted claims”) of U.S. Patent No. 4,661,491 (“the ‘491 patent”) against Teva Pharmaceuticals USA, Inc. (“Teva”);
2. that the asserted claims of the ‘491 patent are not invalid;
3. that Teva’s proposed product described in Abbreviated New Drug Application No. 79-056 infringes the asserted claims of the ‘491 patent;
4. that Teva will induce infringement of the asserted claims of the ‘491 patent;
5. that the effective date of any approval of Teva’s Abbreviated New Drug Application No. 79-056 under § 505(j) of the Federal Food, Drug & Cosmetic Act (21 U.S.C. § 355(j)) for the drug product described therein shall be a date not earlier than the expiration date of the ‘491 patent, plus any exclusivities afforded by 21 U.S.C. § 355a(c)(1)(B)(ii); and
6. that Teva, including its officers, agents, servants, employees, attorneys, and other persons who are in active concert or participation with Teva who receive actual notice of this Judgment, are enjoined from making, using, offering, or selling the product described in Teva’s

Abbreviated New Drug Application No. 79-056 within the United States or importing the described product into the United States until after the expiration date of the '491 patent, plus any exclusivities afforded by 21 U.S.C. § 355a(c)(1)(B)(ii).

SO ORDERED this 8th day of July, 2011.


CHIEF, UNITED STATES DISTRICT JUDGE